

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**ARTHUR SCHLICHTER,
SSN: ***-**-2027**

: CASE NO: 2:11-CR-223

: JUDGE WATSON

Defendant.

and

**CLAIMS ADMINISTRATOR FOR THE
NFL CONCUSSION SETTLEMENT
PROGRAM**

Garnishee.

APPLICATION FOR A WRIT OF CONTINUING GARNISHMENT

The United States of America, by and through its representative the United States Attorney for the Southern District of Ohio, for its cause of action alleges:

1. Plaintiff the United States of America, pursuant to 28 U.S.C. § 3205(b)(1), requests the issuance of a Writ of Continuing Garnishment against certain property of Defendant Arthur Schlichter (“Defendant”), which is (or may become) in the possession, custody or control of the Claims Administrator for the NFL Concussion Settlement Program (“Garnishee”), for satisfaction of the monies owed by Defendant to the United States due to the judgment entered against the Defendant in the above-captioned case.

2. This debt arises from the May 16, 2012 judgment entered against Defendant in Case No. 2:11-CR-223. The amount of the debt that remains unpaid and due and owing amount is \$2,189,781.95, as of November 16, 2018. No interest accrues on this debt.

3. Defendant's last known address is: FCI Edgefield, P.O. Box 723, Edgefield, SC 29824.

4. Not less than 30 days has elapsed since demand for payment was made upon Defendant. The last demand notice for payment was June 29, 2012. Since that time, Defendant has failed to pay the total amount due.

5. Garnishee is believed to have possession of property in which Defendant has a substantial nonexempt interest, and will owe the money or property to Defendant.

6. Defendant is entitled to settlement funds from the class action lawsuit filed against the National Football League and NFL Properties LLC, *In re: National Football League Players' Concussion Injury Litigation*, No. 2:12-md-02323 (E.D. PA). Plaintiff has provided notice to the Claims Administrator for the NFL Concussion Settlement Program of its statutory lien interest against the settlement proceeds in accordance with the settlement program's guidelines. Plaintiff has been advised that Defendant is entitled to a monetary award and that the amount is now finalized. However, Defendant has disputed the government's liens against the settlement funds. Based on the documents provided, Garnishee is withholding the lien amount from any monetary award due to Defendant (the settlement class member) until the dispute is resolved.

7. The name and address of the Garnishee or its authorized agent is:
Claims Administrator for the NFL Concussion Settlement Program
P.O. Box 25369
Richmond, VA 23260

The requirements of 28 U.S.C. § 3205(b) having been satisfied, the United States hereby requests the issuance of a Writ of Continuing Garnishment.

Respectfully submitted,

BENJAMIN C. GLASSMAN
United States Attorney

s/ Bethany J. Hamilton

BETHANY J. HAMILTON (0075139)

Assistant United States Attorney

Attorney for Plaintiff

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CERTIFICATE OF SERVICE

A true copy of the above and foregoing Application for a Writ of Continuing Garnishment was electronically filed with the Clerk of the Court using the CM/ECF system and mailed to by first class mail, postage prepaid, this 16th day of November, 2018 to:

Arthur Schlichter
FCI Edgefield
P.O. Box 723
Edgefield, SC 29824

Claims Administrator for the NFL Concussion Settlement Program
P.O. Box 25369
Richmond, VA 23260

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s/ Bethany J. Hamilton

BETHANY J. HAMILTON (0075139)
Assistant United States Attorney